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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/581,287 09/07/2000		Stefan Reimer	951/48911	4089	
759	90 12/05/2001				
Crowell & Mo	ring LLP	EXAMINER			
P O Box 14300 Washington, DC 20044-4300			RIOS CUEVAS, ROBERTO JOSE		
			ART UNIT	PAPER NUMBER	
			2836	1	
		DATE MAILED: 12/05/2001	/		

Please find below and/or attached an Office communication concerning this application or proceeding.

### Application No. Application No. Application No. O9/581.287 REIMER ET AL.	4				·				
Office Action Summary Casimiler Roberto J. Rios Roberto J.			Application	on No.	Applicant(s)	V			
Roberto J. Rios 2836 The MAILING DATE of this communication appears on the cov_r sheet with the correspondenc_address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of the many be available under the provision of 37 CPR 1.136(a). In no event, however, may a reply be linely flied after 5X (6) MCNTS from the malting side of this communication. If NO period for reply is specified above, the maximum statisticy period via dapp had will explicit with the provision of 37 CPR 1.136(a). In no event, however, may a reply be linely flied after 5X (6) MCNTS from the malting side of this communication. If NO period for reply is specified above, the maximum statistics period via dapp had will explicit \$X (6) MCNTS from the malting date of this communication. If NO period for reply is specified above, the maximum statistics period via dapp had will explicit \$X (6) MCNTS from the malting date of this communication. If NO period for reply is specified above, the maximum statistics period via dapp had will explicit \$X (6) MCNTS from the malting date of this communication. Failure to reply within the set or estended period for reply via plant and application to become ABANDONED (35 U.S. 2 13). Status 1) Expensive to communication(s) filed on 12 June 2000. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 3-6 is/are pending in the application. 4) Claim(s) 3-6 is/are rejected. 7) Claim(s) is/are allowed. 6) Claim(s) 3-6 is/are rejected to Examiner. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. If approved, corrected drawings are required in reply to this Office acti					REIMER ET AL.				
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 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). 	a)⊠ All b)□ Some * c)□ None of:								
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	14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).								
 a) ☐ The translation of the foreign language provisional application has been received. 15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. 									
Attachment(s)									
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5. 4) Interview Summary (PTO-413) Paper No(s) 5) Notice of Informal Patent Application (PTO-152) 6) Other:	2) 🔲 Noti	ce of Draftsperson's Patent Drawing Review (PTO-948)		5) Notice of Informal P					

DETAILED ACTION

Claim Rejections - 35 USC § 112

- The following is a quotation of the second paragraph of 35 U.S.C. 112:
 The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 2. Claims 4 and 5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claims 4 and 5, it is not clear what the applicant meant by "maximally discharged/discharging".

As per claim 5, the limitation "substantially exceeds" renders the claim indefinite failing to clearly set forth the metes and bounds of the claimed invention.

The following art rejection will be made as best understood by the Examiner in light of the above 35 USC 112 rejections.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35U.S.C. 102 that form the basis for the rejections under this section made in thisOffice action:

A person shall be entitled to a patent unless -

- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.
- 4. Claim 3 is rejected under 35 U.S.C. 102(e) as being anticipated by Kawaguchi et al (US patent 5,793,189 B1).

As per claim 3, Kawaguchi et al (herein after Kawaguchi) teach a device for supplying electricity to a motor vehicle comprising a chargeable battery (7); a voltage transformer (6) having a first end connected to said chargeable battery; a capacitor (2) for charging said chargeable battery connected to a second end of said voltage transformer wherein the maximum voltage of said capacitor has a value which is greater than a maximum voltage of said battery (col. 5, line 63).

Claim Rejections - 35 USC § 103

- 5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 6. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawaguchi.

As per claims 4-6, Kawaguchi teaches all the limitations except discharging said capacitor until the voltage of said capacitor has been reduced to a voltage equal to the battery voltage. Kawaguchi teaches that when the capacitor voltage provided to the DC-DC converter is reduced to a specific value said converter output is stopped to avoid over-discharging the capacitor. Thus, it is the Examiner's opinion that it would have been obvious to one of ordinary skill in the art to stop the battery charging when the capacitor voltage is equal to the battery voltage. If the voltage transformer reduces the capacitor high voltage to a voltage suitable to charge the battery (i.e., battery nominal voltage), then it would

be impossible to **reduce** the capacitor voltage to a **higher** value and possible damage may occur to the system.

7. Art of general nature has been cited for applicant's review.

Blair, Ochiai, Imaizumi, Dougherty et al, Kitajima et al, Gale et al and Burke teach a dual-battery charge/discharge vehicle electrical system.

Communication with PTO

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roberto Rios whose telephone number is (703) 306-5518. In the event that Examiner Rios cannot be reached, his supervisor, Josie Ballato may be contacted at (703) 308-0269. The fax phone number for this group is (703) 305-3432.

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